

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 and 9 have been amended. Claims 3-5 have been canceled without prejudice or disclaimer. New claim 17 has been added. No new matter has been added.

After the above mentioned amendments, claims 1-2 and 6-17 are pending, of which claims 10-14 and 16 are withdrawn from consideration.

Rejection under 35 U.S.C. § 112, second paragraph

Claim 9 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 9 has been amended as suggested in the Office Action, and accordingly, applicants submit that the rejection under 35 U.S.C. § 112, second paragraph has been overcome.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1, 3, 8 and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,509,921 to Komiya et al. ("Komiya '921"). Claims 1, 3, 6, 7 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,344,866 to Komiya et al. ("Komiya '866"). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Komiya '921 in view of U.S. Patent No. 6,549,265 to Sakakibara et al. ("Sakakibara"). Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Komiya '921. Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 has been amended to incorporate the features of original claims 3-5, which have been canceled. Claim 1, as amended, recites "wherein the light emission control means controls the quantity of light in the light beam emitted from the light emitting means on the basis of the light quantity control signal in association with a light emission period which corresponds to the control of the light emission timing for the light beam based on the image data and which lasts a predetermined period or longer, the light emission control

means starts light quantity control based on the light quantity control signal at an appropriate time to compensate for delay, on the basis of a delay in start of light quantity control determined from characteristics of the light quantity control signal, and the light emission control means ends light quantity control based on the light quantity control signal at an appropriate time to compensate for delay, on the basis of a delay in end of light quantity control determined from characteristics of the light quantity control signal.” Thus in claim 1, the light emission control means starts the light quantity control by compensating for a delay in the start, and also ends the light quantity control by compensating for a delay in the end. The references cited in the rejection of the claims fail to suggest at least this feature of claim 1.

With respect to features of compensating for the delay in start and end in claim 1 (which have been incorporated from original claims 4 and 5), the Office Action appears to acknowledge on page 5 that Komiya ‘921 does not disclose these features as recited in original claims 4 and 5, but argues that such features would have been obvious. The Patent Office, however, has failed to provide any reference that discloses the features of original claims 4 and 5 as incorporated into claim 1. If applicant maintains this rejection, applicants respectfully request the Examiner to provide a reference disclosing these features.

Moreover, the references cited in the rejection, failing to disclose the features of compensating for the delay in start and end in claim 1, fail to suggest the advantages attendant thereto. This compensation is described in the specification on page 23, line 3 to page 24, line 4 with respect to Figures 5A to 5C. As described, the delay and overtime characteristics of the auto power control (APC) signal may disadvantageously reduce the accuracy of APC. By compensating for the delay and overtime characteristics as recited in claim 1, the accuracy of the APC can be increased. Such correction is not suggested in any of the references cited in the rejection.

New claim 17 corresponds to claim 1, but without the “means” language. Claim 17 is nevertheless patentable for reasons analogous to claim 1.

Dependent claims 2, 6-9 and 15 ultimately depend from claim 1, and are thus patentable for at least the same reasons, as well as for further patentable features recited therein.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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By

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